

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ANTHONY BROOKS,

Plaintiff,

v.

NEVADA DEPARTMENT OF
CORRECTIONS ACCOUNTING
DEPARTMENT SUPERVISOR,

Defendant.

Case No. 3:20-cv-00189-JAD-WGC

ORDER

I. DISCUSSION

On March 27, 2020, this Court issued an order directing Plaintiff to file a complaint and a fully complete application to proceed *in forma pauperis* or pay the full \$400 filing fee for a civil action within forty-five (45) days from the date of that order. (ECF No. 3).

On April 8, 2020, in response to the Court's March 27, 2020 order, Plaintiff filed a complaint. (ECF No. 4). Thereafter, on April 27, 2020, Plaintiff filed a Notice of Compliance and attached a completed financial certificate and inmate account statement for the past six months. (ECF No. 5). However, Plaintiff's application to proceed *in forma pauperis* is incomplete. Plaintiff has not filed an application to proceed *in forma pauperis* (pages 1 through 3 of this Court's approved form).

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* on this Court's approved form and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff will be granted one final opportunity to cure the deficiencies of his application to proceed *in forma pauperis*, or in the alternative, pay the full \$400 filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis*, he must file an application to proceed *in forma pauperis* (pages 1 through 3 of this Court's approved form) no later than **May 28, 2020**.

The Court will retain Plaintiff's civil rights complaint (ECF No. 4) but will not file it

1 until the matter of the payment of the filing fee is resolved.

2 **II. CONCLUSION**

3 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court WILL SEND
4 Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well
5 as the document entitled information and instructions for filing an *in forma pauperis*
6 application.

7 IT IS FURTHER ORDERED that no later than **May 28, 2020**, Plaintiff will either:
8 (1) file an application to proceed *in forma pauperis* on this Court's approved form in
9 compliance with 28 U.S.C. § 1915(a); or (2) pay the full \$400 fee for filing a civil action
10 (which includes the \$350 filing fee and the \$50 administrative fee).

11 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
12 dismissal of this action may result.

13 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint
14 (ECF No. 4) but will not file it at this time.

15 DATED: April 28, 2020

16 William G. Cobb
17 UNITED STATES MAGISTRATE JUDGE
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